

EXHIBIT 31

<p>1 UNITED STATES DISTRICT COURT</p> <p>2 FOR THE EASTERN DISTRICT OF VIRGINIA</p> <p>3 Richmond Division</p> <p>4 -----x</p> <p>5 ePLUS, iNC.,)</p> <p>6 Plaintiff,)</p> <p>7 v.) Civil Action No.</p> <p>8 LAWSON SOFTWARE, INC.,) 3:09-cv-620(REP)</p> <p>9 Defendant.)</p> <p>10 -----x</p> <p>11</p> <p>12 VIDEOTAPED DEPOSITION OF</p> <p>13 MICHAEL IAN SHAMOS, Ph.D., J.D.</p> <p>14 Washington, DC</p> <p>15 Wednesday, June 16, 2010</p> <p>16 10:06 a.m.</p> <p>17</p> <p>18</p> <p>19</p> <p>20 Job No.: 1-181012</p> <p>21 Pages 1 - 252</p> <p>22 Reported By: Joan V. Cain</p>	<p>1 A P P E A R A N C E S</p> <p>2</p> <p>3 ON BEHALF OF PLAINTIFF:</p> <p>4 JENNIFER A. ALBERT, ESQUIRE</p> <p>5 SCOTT L. ROBERTSON, ESQUIRE</p> <p>6 GOODWIN PROCTER, LLP</p> <p>7 901 New York Avenue, Northwest</p> <p>8 Washington, DC 20001</p> <p>9 Telephone: (202) 346-4000</p> <p>10</p> <p>11 ON BEHALF OF DEFENDANT:</p> <p>12 KIRSTIN L. STOLL-DEBELL, ESQUIRE</p> <p>13 MERCHANT & GOULD</p> <p>14 Suite 1950</p> <p>15 1050 Seventeenth Street</p> <p>16 Denver, Colorado 80265</p> <p>17 Telephone: (303) 357-1670</p> <p>18</p> <p>19 ALSO PRESENT:</p> <p>20 Akim Graham, Videographer</p> <p>21</p> <p>22</p>
<p>1 Videotaped Deposition of MICHAEL IAN SHAMOS,</p> <p>2 Ph.D., J.D., held at the law offices of:</p> <p>3</p> <p>4 GOODWIN PROCTER, LLP</p> <p>5 901 New York Avenue, Northwest</p> <p>6 Washington, DC 20001</p> <p>7 (202) 346-4000</p> <p>8</p> <p>9 Pursuant to Notice, before Joan V. Cain,</p> <p>10 Court Reporter and Notary Public in and for the</p> <p>11 District of Columbia.</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p>	<p>1 C O N T E N T S</p> <p>2</p> <p>3 EXAMINATION OF MICHAEL IAN SHAMOS, Ph.D., J.D. PAGE</p> <p>4 By Ms. Albert 7</p> <p>5 By Ms. Stoll-DeBell 245</p> <p>6</p> <p>7 E X H I B I T S</p> <p>8 (Attached to the Transcript.)</p> <p>9 SHAMOS DEPOSITION EXHIBITS PAGE</p> <p>10 Exh. 1 Rebuttal Report of Expert Michael I. 24</p> <p>11 Shamos, Ph.D., J.D. Concerning</p> <p>12 Non-Infringement</p> <p>13 Exh. 2 Report of Expert Michael I. Shamos, 32</p> <p>14 Ph.D., J.D. Concerning Invalidity</p> <p>15 Exh. 3 Document Entitled Chapter 20: 65</p> <p>16 Application Changes, bearing Bates</p> <p>17 Nos. L 0373955 through '4057</p> <p>18 Exh. 4 Document Entitled 8.0.3 Inventory 73</p> <p>19 Control Release Notes bearing Bates</p> <p>20 Nos. L 0030416 through '420</p> <p>21</p> <p>22</p>

<p style="text-align: right;">61</p> <p>1 corroborate your statement that the requisition</p> <p>2 module has had essentially the same basic structure,</p> <p>3 function, and operation since at least version 5.0,</p> <p>4 do you?</p> <p>5 A I don't know what you mean. I see a list</p> <p>6 of citations there.</p> <p>7 Q You don't cite any documentation relating</p> <p>8 to version 5.0 in that list of citations; is that</p> <p>9 accurate?</p> <p>10 A I cite the summary of 5.0 and 6.0</p> <p>11 differences. That's the last citation.</p> <p>12 Q You don't contend, do you, that there have</p> <p>13 been no changes to the requisition module since the</p> <p>14 release of version 5.0 of the Lawson Software?</p> <p>15 A No.</p> <p>16 Q You understand that there have been</p> <p>17 modifications to that module since version 5.0; is</p> <p>18 that correct?</p> <p>19 A Having owned and operated software</p> <p>20 companies, typically one doesn't change the release</p> <p>21 number unless there's been some change to the</p> <p>22 software.</p>	<p style="text-align: right;">63</p> <p>1 to the Inventory Control module since version 5,</p> <p>2 correct?</p> <p>3 A Yes.</p> <p>4 Q Can you turn to paragraph 29 of your</p> <p>5 report? That's on page 9.</p> <p>6 A Yes.</p> <p>7 Q There you state, "The Purchase Order module</p> <p>8 has had essentially the same structure, function,</p> <p>9 and operation since at least Version 5.0 through the</p> <p>10 current release." Do you see that?</p> <p>11 A Yes.</p> <p>12 Q And you don't contend, do you, that there</p> <p>13 have been no changes to the Purchase Order module of</p> <p>14 the Lawson Procurement software since version 5.0?</p> <p>15 A No. I'm sure there have been because the</p> <p>16 summary of 5.0 and 6.0 differences, for example,</p> <p>17 lists PO, which is the Purchase Order module.</p> <p>18 Q In order to render your opinions that the</p> <p>19 mod- -- these modules have been essentially the same</p> <p>20 from version 5.0 to the present, did you review</p> <p>21 manuals from each of versions 5.0, 6.0, 7.0, 8.0,</p> <p>22 and 9.0 to assess the modifications that have been</p>
<p style="text-align: right;">62</p> <p>1 Q And what's the current release number of</p> <p>2 the Lawson Procurement software?</p> <p>3 A I don't recall the number sitting here.</p> <p>4 Q Do you recall whether it's in the -- around</p> <p>5 version 9.0?</p> <p>6 A I don't.</p> <p>7 Q Why do you cite to documentation relating</p> <p>8 to version 9.0 in paragraph 23?</p> <p>9 A Because that was the latest documentation</p> <p>10 that I was able to review.</p> <p>11 Q Turn to paragraph 26 on page 8, if you</p> <p>12 would. And there you state that, "The Inventory</p> <p>13 Control module has had essentially the same basic</p> <p>14 structure, function, and operation since at least</p> <p>15 Version 5.0 through the current release."</p> <p>16 Do you see that?</p> <p>17 A Yes.</p> <p>18 Q You don't contend, do you, that there have</p> <p>19 been no changes to the inventory control module of</p> <p>20 the Lawson Procurement software since version 5?</p> <p>21 A No, I don't contend that.</p> <p>22 Q You're aware that there have indeed changes</p>	<p style="text-align: right;">64</p> <p>1 made to the Lawson Procurement software over time?</p> <p>2 A No. I think we established that I haven't</p> <p>3 looked at 5.0 manuals.</p> <p>4 Q Have you looked at manuals relating to</p> <p>5 version 7.0?</p> <p>6 A Not if they're not listed here.</p> <p>7 Q Have you looked at manuals relating to</p> <p>8 version 8.0?</p> <p>9 A Again, not if they're not listed here. And</p> <p>10 so typically -- I mean, it's hypothetically possible</p> <p>11 that, for example, some feature was introduced in --</p> <p>12 in version 7 and then removed in version 8 and so is</p> <p>13 no longer present in version 9. It's conceivable.</p> <p>14 I have no evidence whatsoever that that ever</p> <p>15 occurred. So typically versions build on previous</p> <p>16 versions. They add features rather than deleting</p> <p>17 them, and so the inference is that if features are</p> <p>18 present in 6.0 and in 9.0, they were also present in</p> <p>19 7 and 8.</p> <p>20 Q Did you review any release notes that</p> <p>21 Lawson issued to its customers describing the</p> <p>22 changes that were made to the software from one</p>